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February 6, 2015

Hon. Christian F. Hummel  
United States Magistrate Judge  
U.S. District Court – Northern District  
James T. Foley U.S. Courthouse  
445 Broadway  
Albany, NY 12207

**RE: Fedele v. Harris**  
**14-CV-559**

Dear Judge Hummel;

I am the attorney for the plaintiffs.

I am in receipt of the Order to Show Cause dated February 4, 2015.

It is submitted that the defendants must be informed that they have the right to independent counsel at public expense.

If the defendants believe that their choice is between free counsel with the Attorney General or private counsel at their expense, the choice will not be voluntary.

We ask that the defendants' choice of counsel be independent and free from any financial coercion.

Very truly yours,



HOWARD R. BIRNBACH

HRB:ctvm

cc: Helena Lynch, AAG